



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LINDA CROSBY, as Administrator of the  
Estate of LINDA CROSBY, deceased,

Plaintiff,

-against-

UNITED STATES OF AMERICA,

Defendant.

**ORDER OF  
COMPROMISE  
PURSUANT TO EPTL §  
5-4.6**

20 cv 330

(SDA)

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VICTORIA WICKMAN, ESQ. as attorney for LINDA DARNELL CROSBY as  
Administrator of the Estate of LINDA SALMONE CROSBY, deceased, having filed an  
application to the United States District Court for the Southern District of New York, for an  
Order, pursuant to Section 5-4.6 of the Estates, Powers and Trust Law, approving the settlement  
of the action for the decedent's wrongful death for the total sum of **EIGHT HUNDRED FIFTY  
THOUSAND and 00/100 (\$850,000.00) DOLLARS**, said sum to be paid by the defendant  
UNITED STATES OF AMERICA, after execution and entry of a Stipulation an Order of  
Settlement and Dismissal, to collect the proceeds of said compromise, for permission to execute  
such releases and other papers necessary to effectuate the compromise; for the fixing and  
allowance of attorneys' fees and disbursements; to permit plaintiff's attorney, LAW OFFICE OF  
VICTORIA WICKMAN to collect the proceeds of the settlement and to deposit same into an  
interest bearing escrow account for the benefit of the decedent's estate pending a formal  
application to the Surrogate's Court New York County for a Decree to approve the distribution  
of the proceeds of the settlement; to permit plaintiff's attorney, LAW OFFICE OF VICTORIA  
WICKMAN to immediately release and pay to herself out of the settlement proceeds being held  
in the aforesaid escrow, the full amount of her attorney fees and disbursements, upon submission

to the trial court of the proof of filing a Petition in the Surrogate's Court for approval of the distribution of the settlement proceeds remaining after payment of the attorneys fees and disbursements, and for such other and further relief as the Court deems just and proper under the circumstances.

**AND**, the Court having obtained jurisdiction of all necessary and proper parties to the proceedings;

**AND**, the Court having approved said attorneys' fees and disbursements in said action;

**AND**, it appearing further that the plaintiff is willing to accept the settlement sum and the defendants are willing to pay the same after execution and entry of a Stipulation an Order of Settlement and Dismissal,

**NOW**, on all papers and proceeding heretofore had herein, the Affirmation of VICTORIA WICKMAN, ESQ. dated October 29, 2021 and the Affidavit of the Plaintiff LINDA DARNELL CROSBY dated November 1, 2021; it is hereby

**ORDERED**, that pursuant to Section 5-4.6 of the Estates, Powers and Trust Law, LINDA DARNELL CROSBY, as Administrator herein, be and hereby is authorized and empowered to settle and compromise the cause of action for the decedent's wrongful death for the total sum of **EIGHT HUNDRED FIFTY THOUSAND (\$850,000.00) DOLLARS**, said sum to be paid by UNITED STATES OF AMERICA after execution and entry of a Stipulation an Order of Settlement and Dismissal, and it is further

**ORDERED**, that the entire settlement amount is allocated 100% to the wrongful death cause of action; and it is further

**ORDERED**, that the plaintiff is hereby permitted to execute any and all releases or other documents necessary to consummate settlement and obtain the proceeds thereof, to discontinue, with prejudice the causes of action for wrongful death and conscious pain and suffering upon payment of the settlement sum; and it is further

**ORDERED**, that the attorneys fees and disbursements are hereby fixed and allowed as follows: TWENTY NINE THOUSAND TWO HUNDRED SEVENTY EIGHT and 92/100 (\$29,278.92) DOLLARS for reimbursement of costs and disbursements incurred in the prosecution of this case and a legal fee in the sum of TWO HUNDRED FIVE THOUSAND ONE HUNDRED EIGHTY and 27/100 (\$205,180.27) DOLLARS to LAW OFFICE OF VICTORIA WICKMAN for her legal services and reimbursements rendered in accordance with the retainer agreement; and it is further

**ORDERED**, that pursuant to Section 5-4.6(a)(1) of the Estates, Powers and Trust Law, plaintiff's attorney, LAW OFFICE OF VICTORIA WICKMAN is hereby permitted to collect the balance of the proceeds of the settlement remaining after the payment of the attorneys' fees and disbursements and to deposit same in an interest bearing account for the benefit of the decedent's estate pending application to the Surrogate's Court, New York County for a Decree to approve the distribution and allocation of the settlement proceeds; and it is further

**ORDERED**, that pursuant to Section 5-4.6(a)(2) of the Estates, Powers and Trust Law, plaintiff's attorney, LAW OFFICE OF VICTORIA WICKMAN is hereby permitted to immediately release and pay to herself out of the settlement proceeds being held in the aforesaid escrow account, the full amount of the attorneys' fees and disbursements upon submission to the trial court of proof of filing of a Petition in the Surrogate's court for approval of the distribution

of the settlement proceeds remaining after payment of the attorneys' fees and disbursements; and it is further

**ORDERED**, that pursuant to Section 5-4.6(a)(3) of the Estates, Powers and Trust Law, plaintiff's attorney, LAW OFFICE OF VICTORIA WICKMAN shall continue to serve as attorney for the estate until the entry of a final decree in the surrogate's court; and it is further

**ORDERED**, that the giving of a Bond, or other security, in connection therewith, be dispensed with.

SO ORDERED:

A handwritten signature in blue ink, appearing to read "Att C A", is written over a horizontal line.

**UNITED STATES MAGISTRATE JUDGE**

Dated: November 3, 2021